



U.S. Department of Justice


Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 10, 2000

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Robert Raben 
Assistant Attorney General

SUBJECT: Weekly Report for July 10, 2000 - July 17, 2000

THE WEEK AHEAD

Bellows Report: On July 10, the General Accounting Office staff (with Q clearances) will begin review of a redacted copy of the Bellows report at the Department. Review will continue throughout this week.

Randy Bellows is tentatively scheduled to brief Senate Select Committee on Intelligence staff (Shelby, Chair) on the report; the time and date are yet to be determined. (Walter)

Los Alamos: On July 11, the House Commerce Committee (Bliley, Chair) is scheduled to hold a hearing on security issues at Los Alamos. Committee staff had requested witnesses from DOE, whom the Department and FBI believe should not be interviewed while the FBI's investigation into the missing hard drives is incomplete; at the Department's and FBI's request the Committee has deferred temporarily its request to speak to these individuals. (Walter)

Telecom Mergers: The Department, represented by Ron Lee and Kevin DiGregory, participated in a July 7 interagency meeting called by the National Economic Council to discuss a telecom merger bill introduced by Senator Hollings before recess and a bipartisan letter signed by 30 Senators on the issue. The Department continues to work to insert into a bill already reported out of the Senate Judiciary Committee (Hatch, Chair), S. 467, and one pending in the House Commerce Committee (Bliley, Chair), H.R. 4019, provisions that allow for mergers involving foreign telecommunications companies to be temporarily delayed, if necessary, to ensure that law enforcement and national security interest are adequately addressed.

On July 11, a joint Department/FBI briefing is scheduled with staff of the House Commerce Committee (Bliley, Chair) to discuss a proposed amendment to H.R. 4019 to ensure national security and law enforcement issues are adequately addressed in telecommunications mergers reviewed by the FCC.

On July 11, a joint Department/FBI briefing is scheduled for the Senate Select Committee on Intelligence staff (Shelby, Chair) on the proposed amendment to S. 467, the Antitrust Merger Review Act.

On July 11, we will brief the House Commerce Committee (Bliley, Chair) on the pending FCC merger bills. We also intend to brief the Senate Commerce, Science and Transportation Committee (McCain, Chair) on national security and law enforcement concerns with various pending telecom merger bills. (Walter)

Prisoner Health Co-Pay: On July 11, we anticipate that the House Judiciary Committee (Hyde, Chair) will complete action on H.R. 1349, a bill to amend title 18 U.S. Code, to combat the over utilization of prison health care services and control rising prisoner health care costs. (Scott-Finan)

Civil Rights Division Oversight Hearing: On July 12, the House Judiciary Committee's Subcommittee on the Constitution (Canady, Chair) will hold an oversight hearing on the Civil Rights Division. Acting Assistant Attorney General Bill Lann Lee will testify on behalf of the Department. (Ho)

Bureau of Indian Affairs Oversight Hearing: On July 12, the Senate Indian Affairs Committee (Campbell, Chair) will hold an oversight hearing on the Bureau of Indian Affairs and General Accounting Office reports on risk management and tort liability. The Committee requested that the Department testify on discrete legal issues raised in the reports regarding coverage of Indian contractors under the FTCA. In response to the Committee's request, Deputy Associate Attorney General Ethan Posner will testify on behalf of the Department. (Ho)

Nominations: The Senate Judiciary Committee (Hatch, Chair) has scheduled a nominations hearing for July 12. The nominees are: Glenn Fine, to be Inspector General; Dennis Cavanaugh, to be a United States District Judge for the District of New Jersey; and John E. Steele, James Moody, and Gregory Presnell, all to be United States District Judges for the Middle District of Florida. (Scott-Finan)

USMS Oversight: On July 13, the House Judiciary Committee's Subcommittee on Crime (McCollum, Chair) will hold a hearing on U.S. Marshals Service oversight. USMS Director John Marshall will testify. (Daley)

Campaign Finance: The Department will continue to work with the Senate Judiciary Committee (Hatch, Chair) staff in responding to document requests and hearing follow up, including coordinating responses to questions received from Senator Leahy to Lee Radek, Joe Gangloff, and Larry Parkinson. (Walter)

Peter Lee: Senator Specter may issue his report on the Peter Lee case this week; Democratic members of the Senate Judiciary Committee (Hatch, Chair) plan to issue their own report at the same time. Copies of both drafts were circulated in the Department for comment. (Walter)

Loral: The Senate Judiciary Committee staff (Hatch, Chair) tentatively suggested a meeting at the staff level in response to the Department's offer of a Members meeting with AAG Robinson and US Attorney for the District of Columbia Wilma Lewis; the meeting request has not yet been confirmed nor have a time or date been set. Senate staff are reportedly seeking to interview National Security Advisor Sandy Berger on the waiver issue sometime in the coming weeks. (Walter)

Leak Statute: The Senate Select Committee on Intelligence staff (Shelby, Chair) requested a meeting to discuss the Department's suggestions for redrafting the leak provisions contained in the pending Intelligence Authorization bill. The Department's position was still being worked out by CRM and the DAG's office; the meeting will take place once OAG and OMB clearance is received, as was promised during your testimony before the Committee. (Walter)

Federal Prison Industries: We anticipate that H.R. 2558, a bill to amend title 18 U.S. Code, to reform federal prison industries, will not be marked up by the House Judiciary Committee (Hyde, Chair) until next week. (Scott-Finan)

FISA/CIPA Bill: A views letter on proposed amendments to the Classified Information Procedures Act and to create a new Assistant Attorney General for National Security continued to be reviewed by CRM and OIPR. This views letter was still pending OAG and OMB clearance. After clearance, it will be sent to the Senate Select Committee on Intelligence (Shelby, Chair) and other interested committees and staff. (Walter)

Public Safety Cooperation Act: On July 25, the Senate Health, Education, Labor and Pensions Committee (Jeffords, Chair) will hold a hearing on S. 1016, a bill to provide collective bargaining for rights of public safety officers employed by states or their political subdivisions. (Scott-Finan)

Congressional ADA Seminar: On July 20, the Offices of Senators Harkin and Jeffords are hosting a seminar on the ADA and its requirements for Congressional staff. The Department is providing assistance and materials to these offices to prepare for the seminar. Further, Liz Savage of the Civil Rights Division will speak at the seminar on technical issues related to the ADA. (Ho)

ADA Commemoration Hearing: On July 26, the Senate Committee on Health, Education, Labor, and Pensions (Jeffords, Chair) will hold a hearing entitled "The Americans with Disabilities Act: Opening the Doors to the Workplace" to celebrate the ADA's tenth anniversary. Liz Savage of the Civil Rights Division will testify on behalf of the Department. (Ho)

THE WEEK IN REVIEW

Wen Ho Lee Trial: Defense counsel for Wen Ho Lee have requested the Senate Judiciary Committee (Hatch, Chair) to provide a transcript of a closed hearing at which you testified, a draft copy of a report by Senator Specter, and materials related to a committee staff interview of an FBI agent. The Senate Legal Counsel's office has spoken with George Stamboulidis, the chief prosecutor in the case; no decision had yet been made by the Committee on how they will proceed. (Walter)

Bankruptcy: After reading the President's latest communication regarding the Bankruptcy bill, Senate Majority Leader Lott indicated the Republicans might consider working out a few of those concerns. This statement came after Senator Lott declared the bill complete and that he was seeking the appropriate vehicle. Senator Daschle expressed his continued concern with the legislation but didn't go so far as to say he would support a veto. (Wilson)

Drug Hearings: The Senate Judiciary Committee (Hatch, Chair) held field hearings on drug issues and criminal alien issues in Utah on July 6 and 7. U.S. Attorney Paul Warner, DEA Administrator Donnie Marshall, the Customs SAC for the Los Angeles Field office and INS Salt Lake City Officer in Charge testified. (Scott-Finan)